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*Attorneys for Creditors,  
Majesti Mai Bagorio, et al.*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

**In re:**

**PG&E CORPORATION,**

**- and -**

**PACIFIC GAS AND ELECTRIC  
COMPANY,**

**Debtors.**

Bankruptcy Case  
No. 19-30088 (DM)

Chapter 11

(Lead Case)

(Jointly Administered)

**JOINDER BY BAUM HEDLUND ARISTEI  
GOLDMAN CAMP FIRE VICTIMS  
CLIENTS IN THE OBJECTION TO  
DEBTORS' MOTIONS [Dkt. No. 5282] AND  
[Dkt. No. 5284] FILED BY CLAIMANTS  
ELIZABETH ADAMS, MARY ADAMS, AND  
DAVID AGOSTINO, ET AL. [Dkt. No. 5459]**

**Date: January 29, 2020**

**Time: 10:00 a.m. (Pacific Time)**

**Place: United States Bankruptcy Court  
Courtroom 17, 16th Floor  
San Francisco, CA 94102**

**TO THE CLERK OF THE ABOVE-ENTITLED COURT, THE DEBTORS AND THEIR  
ATTORNEYS OF RECORD, UNITED STATES TRUSTEE, AND OTHER INTERESTED  
PARTIES:**

1 Claimants Majesti Mai Bagorio, Michelle Dawn Barker, Melissa Rae Barnard, and Sara  
2 Joanne Bates, et al. (collectively, the “Additional Objecting Camp Fire Claimants”) (listed fully in  
3 Appendix A), which include nearly 200 victims of the 2018 Camp Fire, hereby object<sup>11</sup> to the  
4 Debtors’ Motion Pursuant to 11 U.S.C. §§ 363(b) and 105(a) and Fed R. Bankr. P. 6004 and 9019  
5 For Entry of an Order (I) Authorizing the Debtors to Settle the Claims of Tubbs Preference  
6 Claimants and (II) Granting Related Relief (the “Tubbs Settlement Motion”) [Dkt. No. 5282], and  
7 the Debtors’ Motion Pursuant to 11 U.S.C §§ 105(a) and 107(b) and Fed. R. Bankr. P. 9018 for  
8 Entry of an Order Authorizing Redaction and Sealing of Confidential Information from Tubbs  
9 Settlement Documents (“Tubbs Redaction Motion”) [Dkt. No.5284], and incorporate as fully set  
10 forth herein the Objection filed by the Objecting Camp Fire Claimants [Dkt. No. 5459] and in  
11 addition state as follows:  
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14 1. The Settlement with Tubb preference violates the strong presumption of the public's  
15 right to know. *S. California Edison Co. & San Diego Gas & Elec. Co.*, 49 FERC ¶ 63029, 65128  
16 (Dec. 5, 1989). PG&E cannot establish a reasonable rationale for this court to reject that  
17 presumption. PG&E is a quasi-governmental entities as are all public utilities.

18 “Openness in government is essential to the functioning of a  
19 democracy. ‘Implicit in the democratic process is the notion that  
20 government should be accountable for its actions. In order to verify  
21 accountability, individuals must have access to government files.  
22 Such access permits checks against the arbitrary exercise of official  
23 power and secrecy in the political process.’” (*International  
24 Federation of Professional & Technical Engineers, Local 21, AFL-  
25 CIO v. Superior Court* (2007) 42 Cal.4th 319, 328–329, 64  
26 Cal.Rptr.3d 693, 165 P.3d 488). *City of Los Angeles v. Metro. Water  
27 Dist. of S. California*, 42 Cal. App. 5th 290, 306, 255 Cal. Rptr. 3d  
28 202, 217 (Ct. App. 2019).

1           2.       The Tubbs “preference” settlement and its secrecy violates the statutory and  
2 constitutional prohibition against secret preferences by public utilities. Indeed the very language  
3 of the proposed agreement incorporates both of these prohibitions: preferences and secrecy.  
4 These prohibitions have been discussed in many contexts. However, the opinions consistently  
5 reject any activity by a public utility that discriminates in favor of or against some rate payers  
6 over others.<sup>2</sup> That is exactly what PG&E attempts to do here. Referring to the California  
7 Constitution and the Federal Interstate Commerce and Hepburn Acts, the California Second  
8 Circuit concluded:

10                   These provisions ... are designed to insure that carriers operating as  
11 public utilities serve the public without ... **secret preferences** ... (*Cal.*  
12 *Portland Cement Co. v. Public Util. Comm.*, 49 Cal.2d 171, 315 P.2d  
13 709; *People v. Western Air Lines*, 42 Cal.2d 621, 268 P.2d 723.)  
14 *Koffman v. Modern-Imperial Co.*, 239 Cal. App. 2d 135, 136–37, 48  
Cal. Rptr. 492, 493 (Ct. App. 1966).

15 **Secrecy** in public utility dealings are prohibited. *Am. States Pub. Serv. Co. v. Rath*, 2 Cal. 2d  
16 670, 42 P.2d 1010 (1935) [secret profits prohibited in sale of utility]. “The public in general and  
17 the consumers in particular are interested in the relations existing between the corporation and  
18 each of its consumers.” *Sierra & San Francisco Power Co. v. Universal Elec. & Gas Co.*, 197  
19 Cal. 376, 384, 241 P. 76, 80 (1925).

## 21                                   CONCLUSION

22                   Accordingly, the Additional Objecting Camp Fire Claimants submit this joinder and  
23 objection and respectfully request that the Court (i) deny the Tubbs Redaction Motion, (ii) require  
24 the Debtors and the Tubbs Preference Claimants to fully disclose the terms of their settlements,  
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1 and (iii) withhold approval of the Tubbs Settlement Motion until the Debtors and the Tubbs  
2 Preference Claimants have fully disclosed the terms of their settlements.  
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4 Dated: January 23, 2020

Respectfully submitted,

5 BAUM HEDLUND ARISTEI GOLDMAN  
6

7 /S/ Ronald L.M. Goldman

By: \_\_\_\_\_

8 Ronald L.M. Goldman  
9 Diane Marger Moore, *Pro Hac Vice*  
10 Attorneys for Creditors,  
11 Majesti Mai Bagorio, et al.  
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**EXHIBIT A**

Balsiger, Justine

Barker, Michelle

Barnard, Melissa, David Barnard, Tristan Barnard, Aiden Barnard & Hunter Barnard

Bates, Sarah

Bird, Douglas, Kathy Bird, Devon Bird

Bird, Devon, Alexis Liles, Ayden Evans

Bird, Douglas, Kathy Bird

Bird, Douglas, Kathy Bird (Rental )

Bustamante, Rudy, Bustamante, Diego

Cameron, Denise

Chambers, Tom

Christian, Kathy

Costa, Lynn

Culley, Denise, Emmett Culley

Darrin, Daniel

Dechter, Lorraine (2 homes)

Dechter, Lorraine (Studio)

Deen, Janet

Delaney, Colleen, Struthers, John

Dobra, Susan, John Michael Sun

1 Ferreira Steve, Ghirardelli, Jill  
2 Flores, Lisa (2 houses)  
3 Garcia, Jerry , Sharon Garcia  
4 Gilbertson, Regan, Wayne Wise, Chad Wise  
5 Gottowski, Gary, Rebecca Gottowski (HOME)  
6 Gottowski, Gary, Rebecca Gottowski  
7 Griffin, Suzanne (Rental)  
8 Griffin, Suzanne (Mobile)  
9 Haber, Tom, Jeanne Haber (Home)  
10 Haber, Tom, Jeanne Haber  
11 Jolley, Joan, Jane Ann Balsiger  
12 Jones, Norman  
13 Joseph, Daniel  
14 Kasza, Elizabeth  
15 Kasza, Elizabeth J.  
16 Koenig, David  
17 Kunst, John, Vicki Kunst  
18 Kunst, John, Vicki Kunst (Rental)  
19 Kunst, John, Vicki Kunst  
20 Lawhun, Jolene, Mateo Lawhun, Alec Lawhun  
21 Lawhun, Nicole, Steven Lawhun, Monica Mae Baggorio, Majesti Mai Bagorio, Yhana Mia  
22 Quinones-Gallegos, David Astrup (Minors -Margarita & Mauricia)  
23 Linda Gunn, Lucille Lawhun  
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1 Lazzarino, Mark, Stacy Lazzarino, ( Minors - Trinity, Isabella and James Lazzarino )

3 Lewis Kelly, Quigley, Michael (Home)

4 Lewis Kelly, Quigley, Michael (Rental)

5 Luce, David, Jeri Ann Luce

6 Luce, Edward

8 Lundberg, David, Jerry Ann Lundberg

9 Maria Madruga, Noah Madruga

10 Magalia Community Church

11 Matson, Kelly

13 McKinnon, Mark, Wendy McKinnon

14 Menezova, Maria, Tonetti, Elena

15 Miller-George, Sandra, John Miller-George

16 Morch, Andreas, Joanne Morch

18 Moseley, Pamela

19 Myers, Jean Marie, James Myers

20 Paradise Community Guild (Phelps-Zink)

22 Parker, Rosalie & Switzer Paul

23 Petersen, Jennifer Ann, David Pendergast, Michael Petersen, Logan Pendergast, Porter  
Petersen, Cheryl Pendergast, Wilbert Pendergast, Jr.

24 Phelps-Zink, David, Lori Phelps-Zink

25 Poe, William & Moraes, Maria (Lotus)

27 Quattlander, Karen, Walden, Michael

28 Renn, Carole Louise – (De Lis Mingo)

1 Rose, Jim  
2 Schuttenberg, Mark, Tanya Shuttenberg  
3 Smelser, Matthew, Alexander, Brandy  
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5 Stewart, Donald, Sara Stewart, Jessie Stewart (Minors Griffin & River)  
6 Strange, Wendy  
7 Thorn, Steven  
8 Toci, William, Diana Toci  
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10 Turner, Meghan, Charles Turner (Minors- Wesley & Hudson)  
11 Varlinsky, Ray , Love, Marianna  
12 Ward, Nicholas –(Bainbridge, Robert, deceased)  
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14 Westrope, Anthony  
15 Williams, Robert  
16 Winterburn, Anthony, Alexandria Winterburn (Aria & Hayden)  
17 Wonacott, Victoria  
18 Yang, Zongmei  
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20 Bensel, Connie  
21 Sprague, Andy & Janelle Sprague - (Home)  
22 Sprague, Andy & Janelle Sprague - (Business)  
23 Sprague, Andy & Janelle Sprague - (Business Property)  
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25 Sherman, Fay & Anne Sherman Home  
26 Sherman, Fay & Anne Sherman Daughter lived there  
27 Inoglia, Joseph & Arlene Inoglia Home  
28 Inoglia, Joseph & Arlene Inoglia Rental



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Swiger, Jennifer - Home  
Swiger, Jennifer Paradise Mini Storage (personal & Business items)  
  
Swiger, Jennifer - Rented Suite  
  
Costa, Andrew & Shannon Costa Minor- Josephine Costa  
  
Boyd, Judith Thomas & Judith Boyd Family Living Trust  
  
Vigo, Phillip, KarissaVigo (Adalina & Deklan ) Minors  
  
Sweiger, John (Work Shop)  
  
David Ellis  
  
Don Zink

1 **PROOF OF SERVICE**

2 I am over the age of 18 years and not a party to the within cause. My business address is  
3 Baum Hedlund Aristei Goldman, 10940 Wilshire Boulevard, 17<sup>th</sup> Floor, Los Angeles, California  
4 90024. On this day, January 23, 2020, I served the following document(s) in the manner described  
below:

5 **JOINDER BY BAUM HEDLUND ARISTEI GOLDMAN CAMP FIREVICTIMS CLIENTS**  
6 **IN THE OBJECTION TO DEBTORS' MOTIONS [Dkt. No. 5282] AND [Dkt. No. 5284]**  
7 **FILED BY CLAIMANTS ELIZABETH ADAMS, MARY ADAMS, AND DAVID**  
**AGOSTINO, ET AL. [Dkt. No. 5459]**

8 **X** **VIA ECF:** I caused the aforementioned documents to be filed via the Electronic Case  
9 Filing (ECF) system in the United States Bankruptcy Court for the Northern District of  
10 California, on all parties registered for e-filing in Case Number Case No. 19-30088 (DM).  
11 Counsel of record are required by the Court to be registered e-filers, and as such are  
automatically e-served with a copy of the documents upon confirmation of e-filing.

12 I declare under penalty of perjury, under the laws of the United States of America, that the  
13 foregoing is true and correct. Executed on January 23, 2020.

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15 *Diane Marger Moore*  
16 DIANE MARGER MOORE  
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